



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

APR 11 2016

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7015 1730 0000 9218 3805

Maria Satiro-Seguinot
800 Canal Street
Mt. Vernon, NY 10550

Re: Request for Information Pursuant to Section 308 of the Clean Water Act
Canal Asphalt, Inc. 800 Canal Street, Mount Vernon, NY 10550
Docket No. CWA-IR-16-008

Dear Ms. Satiro-Seguinot:

The purpose of this Request for Information (RFI) letter is to require you to submit information to the United States Environmental Protection Agency (EPA), Region 2, regarding Canal Asphalt and activities conducted at 800 Canal Street, Mt. Vernon, New York.

Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

REQUEST FOR INFORMATION

You are hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), to submit the following documents (including any relevant photographs) and/or requested information **within thirty (30) calendar days of receipt** of this RFI:

- A written detailed description of the complete stormwater and drainage system located at Canal Asphalt Inc., 800 Canal Street, Mt. Vernon NY.

CERTIFICATION

Any documents to be submitted must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. § 122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person

or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."


All information required to be submitted by this request shall be sent by registered mail or its equivalent to the following address:

Douglas McKenna, Chief
Water Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007

Failure to provide the required information may subject the facility to civil/criminal penalties pursuant to Section 309 of the CWA. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

Should you have any questions regarding this request, feel free to have your staff contact Ms. Justine Modigliani, Compliance Section Chief at (212) 637-4268.

Sincerely,



Douglas McKenna, Chief
Water Compliance Branch

cc: Joseph DiMura, NYSDEC

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code		NPDES										yr/mo/day					Inspection Type		Inspector		Fac Type							
1	N	2	5	3	N	Y	0	2	5	9	9	3	4	11	12	1	0	2	2	1	5	17	18	C	19	R	20	2
Remarks																												
21																												
66																												
Inspection Work Days				Facility Self-Monitoring Evaluation Rating										BI		QA		Reserved										
67	0	5	0	69	70	1	71	N	72		73		74		75		76		77		78		79		80			

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) CANAL ASPHALT, Inc. 800 Canal Street Mount Vernon, NY 10550	Entry Time/Date 10/22/2015:10:30am	Permit Effective Date May 20, 1998
	Exit Time/Date 10/22/2015:11:15am	Permit Expiration Date May 5, 2008
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)	Other Facility Data (e.g., SIC NAICS, and other descriptive information) SIC Code: 2951	
Name, Address of Responsible Official/Title/Phone and Fax Number Maria Satiro-Seguinot, Manager 800 Canal Street Mount Vernon, NY 10550	Contacted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/>	Permit	<input type="checkbox"/>	Self-Monitoring Program	<input type="checkbox"/>	Pretreatment	<input type="checkbox"/>	MS4
<input type="checkbox"/>	Records/Reports	<input type="checkbox"/>	Compliance Schedules	<input checked="" type="checkbox"/>	Pollution Prevention		
<input checked="" type="checkbox"/>	Facility Site Review	<input type="checkbox"/>	Laboratory	<input checked="" type="checkbox"/>	Storm Water		
<input type="checkbox"/>	Effluent/Receiving Waters	<input type="checkbox"/>	Operations & Maintenance	<input type="checkbox"/>	Combined Sewer Overflow		
<input type="checkbox"/>	Flow Measurement	<input type="checkbox"/>	Sludge Handling/Disposal	<input type="checkbox"/>	Sanitary Sewer Overflow		

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/> D <input type="checkbox"/> 0 <input type="checkbox"/> N <input type="checkbox"/> 1 <input type="checkbox"/> 8	Failure to apply for notice of termination See attached CEI Report
<input type="checkbox"/> B <input type="checkbox"/> N <input type="checkbox"/> 1 <input type="checkbox"/> 9 <input type="checkbox"/> B	Failure to properly operate & maintain BMP's
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Name(s) and Signature(s) of Inspector(s) Cyndy S. Kopitsky 	Agency/Office/Phone and Fax Numbers DECA/WCB/ (212) 637-3832	Date 3/30/16
Signature of Management Q A Reviewer 	Agency/Office/Phone and Fax Numbers	Date 4/6/16

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2, DECA-WCB
20th Floor, 290 Broadway, New York, NY 10007

COMPLIANCE EVALUATION INSPECTION REPORT

Compliance Evaluation Inspection: Canal Asphalt, Inc., New York 10550	
Inspection Date: October 22, 2015	Inspection Time: 10:30AM-11:15AM
EPA Inspectors: Cyndy S. Kopitsky, Physical Scientist and Marissa N. Abbruscato, Physical Scientist USEPA Region 2, DECA, Water Compliance Branch, (212) 637-3832 and (212) 637-4293 respectively	
NYSDEC Representative: Eric Kim (914) 428-2505 x-351	
Facility Representative: Maria Satiro-Seguinot, Manager (contact provided to EPA)	
Site Information: CANAL ASPHALT, Inc. 800 Canal Street Mount Vernon, NY 10550 SIC Code: 2951	

A. INTRODUCTION:

On October 22, 2015 the United States Environmental Protection Agency ("EPA") conducted Compliance Evaluation Inspection ("CEI") at the Canal Asphalt, Inc. owned and operated facility located at 800 Canal Street, Mount Vernon, New York ("facility" or "Site"). Ms. Cyndy S. Kopitsky, of EPA Region 2 led the CEI and conducted a Site walk-through. Weather conditions at the time of the CEI were clear, dry, and approximately 70 degrees F.

On November 13, 2002 Canal Asphalt Inc. submitted a Notice/Renewal Application/Permit with New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) Multi-Sector General Permit ("MSGP") for Stormwater Discharges Associated with Industrial Activity (SPDES ID No. NY0259934). This renewal became effective on May 1, 2003 and expired on May 1, 2008. The previous Permit was issued May 20, 1998. On June 3, 2009, NYDEC withdrew the Canal Asphalt Inc. Industrial SPDES Application for Renewal for incompleteness.

Canal Asphalt was operating a stone and asphalt processing facility primarily under SIC Code 2951 (Establishments primarily engaged in manufacturing asphalt and tar paving mixtures; and paving blocks made of asphalt and various compositions of asphalt or tar with other materials) and discharges stormwater associated with industrial activity from its facilities into Eastchester

Creek which feeds into the Hutchinson River. At the time of the CEI, the facility had expired coverage under the New York State Department of Environmental Conservation ("NYSDEC") State Pollution Discharge Elimination System ("SPDES") Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity ("MSGP" or "Permit").

Facility Description

Canal Asphalt was an advanced asphalt plant located in Mount Vernon in New York and was been in business for more than 20 years. The company was approved by the New York City Department of Transportation (NYCDOT), New York City Department of Design and Construction (NYCDDC) and New York City Department of Parks and Recreation (NYCDPR). It provided asphalt and aggregates, gravel, sealers and paving materials. The company also offered construction, consultation, crack filling and repair, curbing, decorative paving, landscaping, replacement, resurfacing, seal coating and surfacing services.

Categorized under Asphalt Paving Mixtures and Blocks. Records show it was established in 1992 and incorporated in New York. Estimates show this company had an annual revenue of \$20 to \$50 million and employed a staff of approximately 50 to 99.

State Of The Art drum mix plant, DOT & Port Authority Certified, 400 tons per hour, aggregate recycled asphalt & sand products, all asphalt mixes, airport roads driveways & lots, all asphalt needs in Westchester and the five Boroughs (Manhattan, Queens, Bronx, Brooklyn, and Staten Island).

Findings at the facility are identified in Section B, below.

A. FINDINGS & OBSERVATIONS:

At the time of the inspection EPA inspector Kopitsky observed three (3) asphalt stock piles. The piles were located at the entrance along Canal Street and along the back side of the Facility along Eastchester Creek (Photos PA210003, I Phone 10-2015 497, 505, & 513).

At the time of the inspection, there was a fuel tank laying on its side in a portion of the asphalt and an inactive plow vehicle used for operations (Photo I Phone 10-2015 502).

There are two (2) observed storm drains at the facility. One drain was located at the facility entrance, another drain was covered and marked with an orange cylinder (Photo PA210005, I Phone 10-2015 498). A storm sewer was located close to the entrance and was not opened at the time of the inspection (Photo I Phone 10-2015 478)

According to the individual who would not provide his name at the time of the CEI and referred us to Ms. Maria-Satiro-Seguino, Manager at the Facility, Canal Asphalt was closed and was on the market for sale.

Drainage Systems and Stormwater Discharges

The Facility is bordered by Canal Street and Eastchester Creek. At the time of the inspection, EPA observed a metal fence along one edge of the facility, separating the neighboring facility. There was an outfall pipe located between the two locations (Photo PA210014, iPhone 10-2015 489)

The two (2) facilities are separated by a small unnamed channel along Eastchester Creek. At the time of the inspection there were approximately twenty (20) dead fish and the water was very dark in color with an oily sheen. The tide was low at the time of the inspection (Photos PA220025, PA220026, PA220027, and PA220031)

Areas of Concern

1. At the time of the inspection, EPA Inspector Kopitsky observed an outfall pipe located adjacent to the Canal facility that had dry weather flow directly into the channel (described above) which feeds to Eastchester Creek which flows into the Hutchinson River.
2. Unpermitted stormwater from the Facility discharges to the Eastchester Creek via direct runoff downhill of the material stock piles. Stormwater could potentially carry material from those stock piles to Waters of the US.
3. At the time of the CEI, three (3) asphalt/stock piles were stored directly adjacent to Waters of the US, uncovered, and exposed to stormwater. Wherever practicable, exposed materials should be stored under a roofed structure or under a tarp (Photos PA210003, PA210009, iPhone 10-2015 497, and 517).
4. EPA Inspector Kopitsky observed a propane tank, containers or drums, and operation machinery with signs of grease or oil in the general area and exposed to stormwater (Photos iPhone 10-2015 484, 516, 486, and PA210013).

B. ATTACHMENTS:

1. Photograph Log
2. Photographs

Attachment 1: Photograph Log

Attachment 1 - Photograph Log: Canal Asphalt, Inc. 800 Canal Street, Mt. Vernon, New York 10550. Unedited photographs taken on Oct. 22, 2015 by Cyndy S. Kopitsky, Physical Scientist, DECA-WCB, USEPA Region 2 with EPA Olympus Stylus 720SW and personal Apple 6 cell phone camera.

472	Entrance to facility with unidentified drums and trash
473	Entrance to facility with unidentified drums and trash
474	Facility operation equipment
475	Facility operation equipment
476	Facility operation equipment
477	Facility operation equipment
478	Two drain locations at entrance
479	Triton Environmental correspondence
480	Triton Environmental correspondence
481	Triton Environmental correspondence
482	Soiled ground area
483	Soiled ground area
484	Inactive equipment
485	Inactive equipment
486	Soiled area around base of equipment
487	Side view of proximity to Eastchester Creek
488	Side view of proximity to Eastchester Creek
489	View of outfall pipe/perpendicular to facility
490	Side view of proximity to Eastchester Creek
491	Side view of proximity to Eastchester Creek
492	Side of facility
493	Side of facility
494	Storage bin
495	Storage area
496	Storage area
497	Stock pile of asphalt
498	Unidentified Outfall
499	Stock pile
500	Stock pile of asphalt
501	Asphalt storage area
502	Inactive fuel drum
503	Storage
504	Asphalt area around inactive truck
505	Asphalt storage
506	Asphalt storage
507	Asphalt storage
508	Runoff area
509	Runoff area

510	Runoff area
511	Runoff area
512	Oily discharge from equipment
513	Storage area
514	Boarding the Creek
515	Storage of asphalt
516	Storage of asphalt
517	Storage of asphalt
518	Side view of facility
PA210001.jpg	Facility entrance
PA210002.jpg	Facility entrance
PA210003.jpg	Material storage
PA210004.jpg	Truck entrance
PA210005.jpg	Drain at entrance
PA210006.jpg	Storage area
PA210007.jpg	Photo in error
PA210008.jpg	Photo in error
PA210009.jpg	Street view/stock piles
PA210010.jpg	Stock piles
PA210011.jpg	Street view
PA210012.jpg	Street view
PA210013.jpg	Dry absorb around truck area
PA210014.jpg	Dry absorb around truck area
PA210015.jpg	Street view
PA220025	Outfall-Dry weather flow
PA220026	Low tide-Dead fish and oily black soil conditions
PA220027	Same as above
PA220031	Same as above

Attachment 2: Photographs



Hutchinson Recon I Phone 10-2015 484



PA210003



PA210005



PA210006



PA210009



PA210013 - Copy



PA210014



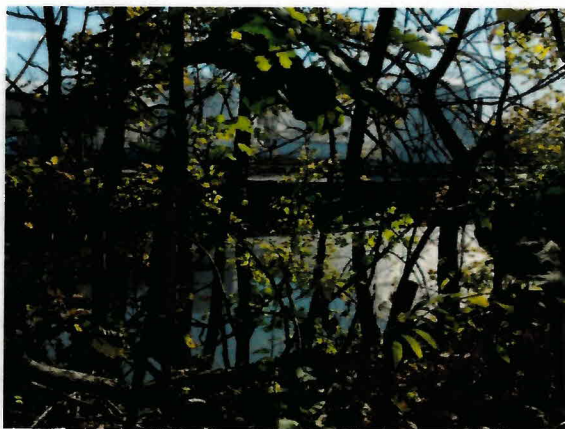
Hutchinson Recon | Phone 10-2015 472



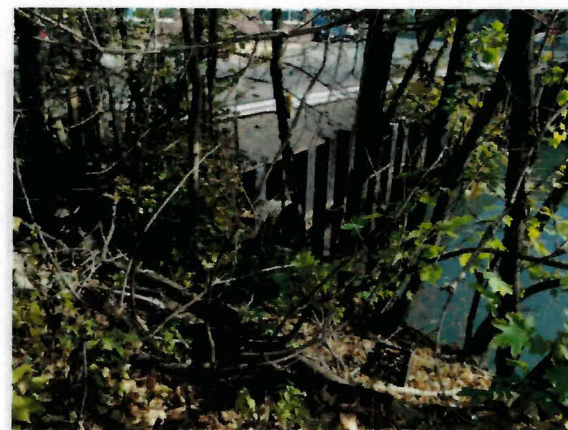
Hutchinson Recon I Phone 10-2015 478



Hutchinson Recon I Phone 10-2015 486



Hutchinson Recon I Phone 10-2015 488



Hutchinson Recon I Phone 10-2015 489



Hutchinson Recon I Phone 10-2015 492



Hutchinson Recon I Phone 10-2015 495



Hutchinson Recon I Phone 10-2015 497



Hutchinson Recon I Phone 10-2015 498



Hutchinson Recon I Phone 10-2015 501



Hutchinson Recon I Phone 10-2015 502



Hutchinson Recon I Phone 10-2015 503



Hutchinson Recon I Phone 10-2015 505



Hutchinson Recon I Phone 10-2015 510



Hutchinson Recon I Phone 10-2015 512



Hutchinson Recon I Phone 10-2015 513



Hutchinson Recon I Phone 10-2015 514



Hutchinson Recon I Phone 10-2015 516



Hutchinson Recon I Phone 10-2015 517



PA220025



PA220026



PA220031



PA220027

